

# Order

Michigan Supreme Court  
Lansing, Michigan

May 7, 2008

Clifford W. Taylor,  
Chief Justice

135176

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 135176  
COA: 279176  
Tuscola CC: 99-007479-FC

ALLEN N. ZIMMERMAN, JR.,  
Defendant-Appellant.

---

On order of the Court, the application for leave to appeal the September 13, 2007 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

KELLY, J., would remand this case to the trial court for a decision on attorney fees that considers defendant's ability to pay now and in the future. See *People v Dunbar*, 264 Mich App 240 (2004), *lv den* 473 Mich 881 (2005).



s0430

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 7, 2008

*Corbin R. Davis*

Clerk